

AMENDED IN SENATE MARCH 17, 2005

AMENDED IN SENATE FEBRUARY 22, 2005

**SENATE BILL**

**No. 94**

**Introduced by Senator Migden  
(Coauthor: Senator Aanestad)**

January 14, 2005

---

An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 94, as amended, Migden. Claims against the state: appropriation.

Existing law requires the Attorney General to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state.

This bill would appropriate \$45,000,000 from the General Fund to the Attorney General to pay a specified judgment.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The sum of forty-five million dollars  
2 (\$45,000,000) is hereby appropriated from the General Fund to  
3 the AttorneyGeneral to pay for the judgment in the case of Kevin  
4 McMahan et al. v. State of California, et al., Sacramento County  
5 Superior Court, Case No. 02AS 06058. Any funds appropriated

1 in excess of the amounts required for the payment of this  
2 judgment claim shall revert to the General Fund on June 30 ~~of~~  
3 ~~the fiscal year in which the final payment is made., 2006.~~

4 SEC. 2. This act is an urgency statute necessary for the  
5 immediate preservation of the public peace, health, or safety  
6 within the meaning of Article IV of the Constitution and shall go  
7 into immediate effect. The facts constituting the necessity are:

8 In order to pay judgments and settlement claims against the  
9 state and end hardship to claimants as quickly as possible, it is  
10 necessary for this act to take effect immediately.